

REMARKS

This is intended as a full and complete response to the Final Office Action dated June 10, 2004, having a shortened statutory period for response set to expire on September 10, 2004. Claims 1-34, 42-59, and 61-73 are pending in the application. Please reconsider the claims pending in the application for reasons discussed below.

Claim Rejections Under 35 U.S.C. § 103 (a)

The Examiner rejected claims 57 and 65 as being obvious over *Tubel* '165 and *Salvo* '205. In response, Applicants have amended claims 57 and 65 and, as the rejection might be applied to the amended claim, respectfully traverse.

As amended, claims 57 and 65 include a similar limitation of a remote controller that may reprogram a processor of the surface controller and the data acquisition system. *Tubel* does not disclose a remote controller comprising a computer with internet access which is capable of reprogramming a processor of the surface controller and the data acquisition system. Rather, *Tubel* discloses a downhole control system that has a closed-ended communication system in which a remote central control center communicates wirelessly through telephone wires with a plurality of oil well platforms. Similarly, *Salvo* does not disclose a remote controller that may reprogram a processor of a surface controller and the data acquisition system. In contrast, *Salvo* discloses a data collection center that is typically located anywhere within range of a communication unit. These references, either alone or in combination, therefore fail to teach or suggest all the elements recited in claims 57 and 65. This failure precludes *Tubel* and/or *Salvo* from rendering claims 57 and 65 obvious. For these reasons, Applicants submit that claims 57 and 65 are in condition for allowance and respectfully request withdrawal of the § 103(a) rejection.

Claims 58, 59, and 61-64 depend from allowable amended claim 57 and claims 66-70 depend from allowable amended claim 65, and they are allowable for at least the same reasons as amended claims 57 and 65. Applicants therefore respectfully request withdrawal of the § 103(a) rejection of claims 58, 59, 61-64, and 65-70 and allowance of the same.

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The Examiner rejected claim 42 as being obvious over *Tubel* and *Rinaldi* and further in view of *Salvo*. In response, Applicants have amended claim 42 and, as the rejection might be applied to the amended claim, respectfully traverse.

As amended, claim 42 includes the limitation of transmitting signals between the control and data acquisition system and a remote controller, wherein the remote controller may reprogram the processor of the surface control and data acquisition system. As discussed above, *Tubel* does not disclose a remote controller comprising a computer with internet access which is capable of reprogramming a processor of the surface controller and the data acquisition system. Additionally, as discussed above, *Salvo* does not disclose a remote controller that may reprogram a processor of the surface controller and the data acquisition system. Likewise, *Rinaldi* does not disclose this limitation. These references, either alone or in combination, therefore fail to teach or suggest all the elements recited in amended claim 42. This failure precludes *Tubel* and/or *Rinaldi* and/or *Salvo* from rendering claim 42 obvious. For these reasons, Applicants submit that claim 42 is in condition for allowance and respectfully request withdrawal of the § 103(a) rejection.

Claims 43-56 depend from allowable amended claim 42, and they are allowable for at least the same reasons as amended claim 42. Applicants therefore respectfully request withdrawal of the § 103(a) rejection of claims 43-56 and allowance of the same.

Allowable Subject Matter

The Examiner has indicated that claims 1-34 and 71-73 are allowed. Applicants appreciate allowance of claims 1-34 and 71-73.

Conclusion

In conclusion, the references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed.

Having addressed all issues set out in the Final Office Action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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